UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,587	06/04/2001	Lowell Winger	CISCP249/4147	5663

22434	7590	05/20/2005

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EXAMINER
LEE, RICHARD J

ART UNIT	PAPER NUMBER
2613	

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/874,587	WINGER, LOWELL
	Examiner	Art Unit	
	Richard Lee	2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>03 January 2005</u>.

2a)☒ This action is **FINAL**.　　2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-16</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) <u>5 and 14-16</u> is/are allowed.

6)☒ Claim(s) <u>1,4,6 and 11-13</u> is/are rejected.

7)☒ Claim(s) <u>2,3 and 7-10</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

1.   The disclosure is objected to for the same reason as set forth in paragraph (1), item (b) of

the last Office Action because the applicant had failed to properly correct the deficiency. In an

attempt to overcome the previous objection, the applicant had requested to amend the

Specification as shown at page 2, items 2 and 3 of the amendment filed January 3, 2005. The

amendment to the Specification as request is however in error since the changes should be made

to page 16 of the Specification, and not page 17 as indicated by the applicant. The applicant is

required to amend the Specification accordingly in response to this Office Action.

Appropriate correction is required.

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3.   Claims 1, 4, 6, and 11-13 are rejected under 35 U.S.C. 102(a) as being anticipated by

Murata et al of record (Fast 2D IDCT Implementation with Multimedia Instructions for a

Software MPEG2 Decoder).

        Murata et al discloses an MPEG2 decoder system as shown in Figure 5, and the same

method for selecting and executing inverse discrete cosine transform algorithms, system for

reducing iDCT execution time, and computer readable medium containing instructions for

selecting and executing iDCT algorithms as claimed in claims 1, 4, 6, and 11-13, comprising the

same examining the coefficients of a DCT block to determine the position of the EOB coefficient

(see page 3106, section 2.3, page 3107, section 3.1); selecting an iDCT algorithm to be an iDCT

low algorithm or an iDCT high algorithm according to the position of the EOB coefficient (i.e.,

the iDCT 4 x 4 algorithm is considered an iDCT low algorithm and the iDCT normal algorithm

is considered an iDCT high algorithm since the iDCT 4 x 4 will be selected if the EOB is less

than 10 while the iDCT normal will be selected if the EOB is greater than 10, see Figure 5, page

3107, section 2.3, page 3107, section 3.1); executing the iDCT algorithm (see pages 3107,

sections 3.1 and 3.2); determination means for determining the position of an EOB coefficient in

a DCT block (see page 3106, section 2.3, page 3107, section 3.1), selection means for selecting

an iDCT algorithm to be an iDCT low algorithm or an iDCT high algorithm based upon the

position of the EOB coefficient (i.e., the iDCT 4 x 4 algorithm is considered an iDCT low

algorithm and the iDCT normal algorithm is considered an iDCT high algorithm since the iDCT

4 x 4 will be selected if the EOB is less than 10 while the iDCT normal will be selected if the

EOB is greater than 10, see Figure 5, page 3107, section 2.3, page 3107, section 3.1), and

execution means for executing the iDCT algorithm (see pages 3107, sections 3.1 and 3.2); and a

plurality of iDCT algorithms comprising an iDCT high algorithm and an iDCT low algorithm

(i.e., the iDCT 4 x 4 algorithm is considered an iDCT low algorithm and the iDCT normal

algorithm is considered an iDCT high algorithm since the iDCT 4 x 4 will be selected if the EOB

is less than 10 while the iDCT normal will be selected if the EOB is greater than 10, see Figures

4 and 5, page 3107, section 2.3, page 3107, section 3.1), a switch for selecting a selected

algorithm from the plurality of iDCT algorithms, the plurality of algorithms comprising iDCT

Normal, iDCT_AC, and iDCT_DC, the switch accepts as input a block of DCT coefficients, an

EOB address, and a picture type rate (see Figure 5 and page 3106, section 2.3, page 3107, section

3.1), and a computer processor for executing the selected algorithm (see pages 3107-3108,

sections 3.1 and 3.2).

4.   Claims 2, 3, and 7-10 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5.   Claims 5, and 14-16 are allowed.

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Lee whose telephone number is (571) 272-7333. The Examiner can normally be reached on Monday to Friday from 8:00 a.m. to 5:30 p.m, with alternate Fridays off.

Richard Lee/rl

5/12/05